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IPW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/716,842	11/18/2003	Harvey Kasdan	2102402-914971

26379
 GRAY CARY WARE & FREIDENRICH LLP
 2000 UNIVERSITY AVENUE
 E. PALO ALTO, CA 94303-2248



CONFIRMATION NO. 6812

FORMALITIES LETTER



OC000000013501224

Date Mailed: 08/11/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/19/2004 LWONDIM1 00000004 071896 10716842 FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 DA
 02 FC:1201 88.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 4.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 5, 8A, 8B, 8C, 8D, 8F, 8H, 8I, 8J, 10A, 10B, 11A & 11B.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$258** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$388** for a Large Entity

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$258**
 - **\$258** for **3** independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Meaza W

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 218.00

Complete If Known

Application Number	10716,842
Filing Date	November 18, 2003
First Named Inventor	Harvey Kasdan
Examiner Name	Unknown
Art Unit	2121
Attorney Docket No.	2102402-914971

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ other ☐ None

☒ Deposit Account:

Deposit Account Number: 07-1896
Deposit Account Name: Gray Cary Ware & Freidenrich LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20**			
Independent Claims: 6	-5**	1	88
Multiple Dependent			0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 over original patent	
SUBTOTAL (2) (\$)					88.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	77	2810	385	Request for Continued Examination (RCE)	
1802	90	1802	90	Request for expedited examination of a design application	
Other fee (Specify) _____					
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					130.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Kieun Sung	Registration No. (Attorney/Agent)	48,639	Telephone	650-833-2121
Signature		Date	October 11, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**Docket No.
2102402-914971

Applicants: Kasdan, et al

Serial No. 10/716,842	Filing Date November 18, 2003	Examiner Not Yet Assigned	Group Art Unit 2121
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Invention:

MULTI-LEVEL CONTROLLER SYSTEM

I hereby certify that the following documents are being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450, on October 12, 2004:

1. Transmittal Form (1 pg);
2. Response to Notice to File Missing Parts (2 pgs.);
3. Copy of original Notice to File Missing Parts (2 pgs.);
4. Declaration (4 pgs);
5. Power of Attorney (1 pg);
6. Statement Under 37 CFR 3.73(b) with copy of Assignment documents (6 pgs);
7. Transmittal of Replacement Drawings (1 pg.);
8. Forty (40) sheets replacement drawings;
9. Fee Transmittal FY 2004 (1 pg);
10. Certificate of First Class Mailing; and
11. Return postcard.

Cathy Pittman

(Type or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)



PTO/SB/21 (02-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/716,842	
	Filing Date	November 18, 2003	
	First Named Inventor	Harvey Kasdan	
	Art Unit	2121	
	Examiner Name	Unknown	
Total Number of Pages in This Submission		Attorney Docket Number	2102402-914971

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration (4p); Statement Under 37 CFR w/Assignmt (6p); Transmittal of Repl. Dwgs. (1p); Forty (40) drawing sheets; Cert. of First Class Mail (1p); Return postcard.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Or Individual name	Kieun Sung (Reg. No. 48,639) Gray Cary Ware & Freidenrich LLP
Signature	
Date	October 11, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Cathy Pittman		
Signature		Date	October 12 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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www.USCourtForms.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harvey Kasdan et al.

Serial No. 10/716,842

Group Art Unit: 2121

Filed: November 18, 2003

Examiner: Unknown

Title: MULTI-LEVEL CONTROLLER SYSTEM

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents & Trademarks, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 12, 2004
Date


Cathy Pittman

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts dated August 11, 2004, applicant hereby submits the following:

- (1) Transmittal Form (1 pg.);
- (2) Response to Notice to File Missing Parts (2 pgs.);
- (3) Copy of Notice to File Missing Parts (2 pgs);
- (4) Declaration (4 pgs.);
- (5) Power of Attorney (1 pg);
- (6) Statement Under 37 CFR 3.73(b) w/copy of Assignment documents (6 pgs);
- (7) Transmittal of Replacement Drawings (1 pg.);

- (8) Forty (40) sheets replacement drawings;
- (9) Fee Transmittal FY 2004;
- (10) Certificate of First Class Mailing (1 pg); and
- (11) Return postcard.

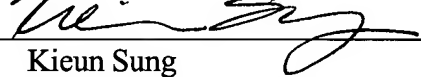
The Notice to File Missing Parts asks payment for "3 independent claims over 3." However, **because five of the six independent claims are already paid for, Applicant believes that fee for only one additional claim (\$88) is due.** Our attempt to clarify the correct amount by contacting the Customer Service Center at the phone number listed in the Notice has not been effective. Applicant has authorized the Commissioner to charge \$218.00 (the late oath or declaration Surcharge of \$130.00 + \$88.00) to Deposit Account No. 07-1896.

Please telephone the undersigned at (650) 833-2121, if there are any questions.

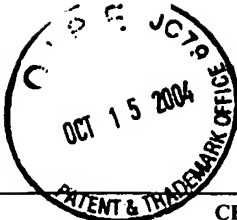
Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: October 11, 2004

By 
Kieun Sung
Attorney for Applicant
Reg. No. 48,639

GRAY CARY WARE & FREIDENRICH LLP
Attn: Patent Department
2000 University Street
East Palo Alto, CA 94303
Telephone: (650) 833-2121
Facsimile: (650) 833-2001



<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450, on October <u>12</u>, 2004.</p> <p><i>Cathy Pittman</i></p> <p>Cathy Pittman</p>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harvey Kasdan et al.
Serial No: 10/716,842 Group Art Unit: 2121
Filed: November 18, 2003 Examiner: Unknown
Title: MULTI-LEVEL CONTROLLER SYSTEM

* *

TRANSMITTAL OF REPLACEMENT DRAWINGS

Commissioner for Patents
Mail Stop Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are forty (40) replacement drawing sheets for the above-identified application as required by the Notice to File Missing Parts dated August 11, 2004.

Please address all communications regarding this application to:

Kieun "Jenny" Sung
GRAY CARY WARE & FREIDENRICH LLP
2000 University Avenue
East Palo Alto, CA 94303

Please direct all telephone calls to Jenny Sung at (650) 833-2121.

Dated: October 12, 2004

GRAY CARY WARE & FREIDENRICH LLP

By *Kieun Sung*
Kieun "Jenny" Sung
Reg. No. 48,639
Attorney for Applicant

GRAY CARY WARE & FREIDENRICH LLP
2000 University Avenue
East Palo Alto, CA 94303
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